

Message Text

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47

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INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY OTTAWA

AMEMBASSY THE HAGUE

AMEMBASSY ROME

AMEMBASSY TOKYO

USUN NEWYORK 3270

USMISSION NATO

USDEL SALT II GENEVA

ERDA HQ WASHDC

ERDA GERMANTOWN MD

C O N F I D E N T I A L GENEVA 5480

E.O. 11652: GDS

TAGS: CCD PARM

SUBJECT: CCD - MEETING OF ENMOD WORKING GROUP, JULY 9

1. SUMMARY: CCD'S ENMOD WORKING GROUP BEGAN "FIRST READING" OF U.S.-SOVIET DRAFT CONVENTION JULY 9, WITH ARTICLE-BY-ARTICLE REVIEW AND REITERATION OF PROPOSED AMENDMENTS. MEETING COVERED PREAMBLE AND FIRST FOUR ARTICLES; REMAINING ARTICLES ARE EXPECTED TO BE GIVEN FIRST READING JULY 12. STATEMENTS MADE AT MEETING INDICATE WIDEST DIVERGENCES ON SCOPE OF PROHIBITION, USE OF PHRASES "MILITARY OR ANY OTHER HOSTILE" AND "HAVING WIDESPREAD, LONG-LASTING OR SEVERE EFFECTS," CONTENT AND STATUS OF ILLUSTRATIVE LIST OF CONFIDENTIAL

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ENMOD EFFECTS IN ARTICLE II, AND INCLUSION OF COMMITMENT TO PROMOTE PEACEFUL USES. IN RELATED DEVELOPMENTS, SOVIETS CONFIRMED TO U.S. DEL THEIR UNWILLINGNESS TO MODIFY ARTICLE IV (DOMESTIC LEGISLATION) AND JAPANESE PROVIDED TEXT OF ARTICLE V AMENDMENT THEY MAY PROPOSE

BASED ON SOVIET INTERPRETATION OF CONSULTATION AND COOPERATION PROVISIONS. END SUMMARY.

2. ENMOD WORKING GROUP'S FIRST MEETING OF U.S.-SOVIET DRAFT CONVENTION PROCEEDED SMOOTHLY JULY 9, WITH DELEGATIONS LARGELY REITERATING SUPPORT FOR OR OPPOSITION TO SPECIFIC PROPOSED CHANGES IN PREAMBLE AND ARTICLES I THROUGH IV. REMAINING ARTICLES SHOULD BE COVERED AT JULY 12 MEETING, WITH GROUP THEN PROCEEDING TO SECOND READING, DURING WHICH EFFORTS ARE TO BE MADE TO REACH AGREEMENT. SINCE PURPOSE OF FIRST READING IS TO "PROVIDE FULL PICTURE OF THE MODIFICATIONS PROPOSED", U.S. AND SOVIET DELS AGREED NOT TO SPEAK ON SUBSTANCE OF PROPOSALS UNTIL SECOND READING. HIGHLIGHTS OF ISSUES AT FIRST MEETING FOLLOW (PARA 5 BELOW).

3. DURING CONSULTATIONS JULY 9 BETWEEN U.S. AND SOVIET DELOFFS TO DISCUSS TACTICS, SOVIETS TOOK OPPORTUNITY TO RECALL U.S. SUGGESTION THAT ARTICLE IV COULD BE MODIFIED TO CONFORM MORE CLOSELY TO PHRASING OF PARALLEL ARTICLE IN BW CONVENTION. SOVIET DELOFF KASHIRIN SAID SOVIETS DID NOT FAVOR SUCH A MODIFICATION SINCE IT WOULD APPEAR TO EMPHASIZE IMPLEMENTING MEASURES TO PROHIBIT VIOLATIONS ON A STATES' OWN TERRITORY, RATHER THAN AGAINST OTHER STATES. DELOFF REPLIED THAT WE HAD VIEWED MODIFICATION AS POSSIBLE MEANS OF MEETING OBJECTIONS TO ARTICLE BY OTHERS, NOTABLY AUSTRALIA, BUT DID NOT CONSIDER IT NECESSARY AND IN LIGHT OF SOVIET VIEWS WOULD NOT GO FURTHER WITH IT.

4. IN SEPARATE DEVELOPMENT, OKA (JAPANESE DEL OFF) GAVE U.S. DELOFF JULY 9 THE FOLLOWING PROPOSED AMENDMENT TO ARTICLE V, WHICH WOULD FOLLOW THE CONSULTATION AND COOPERATION PROVISION IN PARA ONE OF THE ARTICLE:

..."THE INTERNATIONAL PROCEDURES REFERRED TO IN THE PRECEEDING PARAGRAPH MAY INCLUDE THE FACT-FINDING TO BE CONDUCTED BY APPROPRIATE INTERNATIONAL ORGANIZATIONS OR BY A COMMITTEE OF EXPERTS OF STATES PARTY TO THE TREATY TO BE APPOINTED BY THE SECRETARY-GENERAL OF THE UNITED NATIONS.

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..."THE SECRETARY-GENERAL SHALL APPOINT THE EXPERTS FROM THE ROSTER OF EXPERTS NOMINATED BY STATES PARTY, WITH DUE REGARD TO THEIR TECHNICAL QUALIFICATIONS AS WELL AS APPROPRIATE GEOGRAPHICAL REPRESENTATION."

OKA SAID JAPANESE WERE STILL CONSIDERING WHETHER TO SURFACE THIS PROPOSAL, WHICH HE SAID WAS MEANT TO BUILD ON RECENT SOVIET INTERPRETATION OF ARTICLE V. DELOFF AGREED TO STUDY PROPOSAL AND PROVIDE COMMENTS EARLY IN WEEK OF JULY 12.

5. FOLLOWING ARE HIGHLIGHTS OF JULY 9 WORKING GROUP MEETING. PREAMBLE. ROMANIA PROPOSED PREAMBULAR UNDERTAKING TO CONTINUE NEGOTIATIONS TOWARD CESSATION OF ARMS RACE, "ESPECIALLY NUCLEAR

ARMS RACE," AND TOWARD GENERAL AND COMPLETE DISARMAMENT. EGYPT, INDIA, AND ARGENTINA SUPPORTED MORE MODEST REFERENCE IN FIRST PREAMBULAR PARAGRAPH, WHICH WOULD EXPRESS WISH TO "CONTRIBUTE TO THE CAUSE... OF BRING ABOUT GCD UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL..." ARGENTINA, CANADA, NETHERLANDS, AND MONGOLIA SUPPORTED DIVISION OF THIRD PARA TO MAKE SEPARATE REFERENCES TO POTENTIAL BENEFITS OF PEACEFUL USES ON ONE HAND AND POTENTIAL HARMFUL EFFECTS OF MILITARY USE. ARGENTINA, ITALY, AND MONGOLIA REITERATED CRITERION OF FOURTH PARA, EXPRESSING DESIRE TO "LIMIT" POTENTIAL DANGER OF ENMOD, SUGGESTING USE OF WORDS "PREVENT", "AVERT," OR "ELIMINATE." UK SUGGESTED DELETION OF THIS PARA, ARGUING IDEA WAS ADEQUATELY EXPRESSED IN OTHER PARAS OF PREAMBLE.

ARTICLE I. ARGENTINA AND YUGOSLAVIA CALLED FOR DELETION OF PHRASE "HAVING WIDESPREAD, LONG-LASTING, OR SEVERE EFFECTS," IN ORDER TO ESTABLISH COMPREHENSIVE BAN. ROMANIA SAID IF THESE TERMS ARE KEPT IN TEXT, COMMITMENT TO FURTHER NEGOTIATIONS TO BAN TECHNIQUES NOT PRECLUDED WOULD BE NECESSARY. NETHERLANDS AND UK CALLED FOR CLEARER UNDERSTANDING OF MEANING OF "WIDESPREAD, LONG-LASTING, OR SEVERE," WITH UK SUGGESTING ANNEX SETTING OUT AGREED DEFINITIONS. EGYPT, ITALY, SWEDEN, AND YUGOSLAVIA REITERATED CALL FOR ADDING PROHIBITION OF "THREAT OF USE." SWEDEN, NETHERLANDS AND IRAN SUPPORTED REFERENCE TO TECHNIQUES HAVING "OR WHICH MAY BE EXPECTED TO HAVE" PROSCRIBED EFFECTS. SWEDEN AND FRG REITERATED OPPOSITION TO PHRASE "MILITARY OR ANY OTHER HOSTILE USE," WITH SWEDEN PREFERRING SIMPLY "HOSTILE USE" AND FRG FAVORING PHRASE USE "IN ARMED CONFLICT OR IN ANY OTHER HOSTILE MANNER." ITALY
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SUPPORTED PRESENT PHRASING. ARGENTINA CALLED FOR PROHIBITION OF R & D ON HOSTILE ENMOD.

ARTICLE II. (DEFINITION OF ENMOD). ONLY COMMENT ON TECHNICAL DEFINITION OF ENMOD TECHNIQUES IN ARTICLE II WAS ITALIAN REITERATION OF PROPOSAL TO ADD "INFLUENCING OR AFFECTING " TO PHRASE "TECHNIQUES FOR CHANGING..." SWEDEN, NETHERLANDS, AND YUGOSLAVIA FAVORED DELETION OF ILLUSTRATIVE LIST OF EFFECTS IN ARTICLE, OR MINIMUM MAKING LIST AN ANNEX TO CONVENTION SUBJECT TO EASIER AMENDMENT PROCEDURES. ARGENTINA REPEATED ITS GENERAL SUGGESTION THAT "LESS SOPHISTICATED" EXAMPLES BE INCLUDED IN LIST. INDIA SUPPORTED JAPANESE PROPOSAL TO INCLUDE CHANGES IN DISTRIBUTION OF ICE AND SNOW MASSES, AND NETHERLANDS SUPPORTED FRG PROPOSAL TO ADD RIVER DIVERSION.

ARTICLE III. (RELATION TO PEACEFUL USES). ARGENTINA REITERATED CALL FOR COMMITMENT TO COOPERATE IN PROMOTING PEACEFUL USES OF ENMOD, SUPPORTED BY ROMANIA, YUGOSLAVIA, AND EGYPT WHICH CALLED FOR PROVISIONS ON ANNOUNCEMENT AND INTERNATIONAL OBSERVATION OF ENMOD EXPERIMENTS. SWEDEN AND FRG, SECONDED BY NETHERLANDS AND ITALY, AGAIN CALLED FOR USE OF PHRASE "DO NOT APPLY TO" RATHER THAN "SHALL NOT HINDER." UK CALLED FOR DELETION OF INITIAL WORDS

"THE PROVISIONS OF," SO ARTICLE WOULD READ "THIS CONVENTION DOES NOT APPLY TO" USE OF ENMOD FOR PEACEFUL PURPOSES.

ARTICLE IV. (IMPLEMENTING LEGISLATION). ITALY, SWEDEN, INDIA, AND NETHERLANDS CALLED ARTICLE IV TOO RIGID. ITALY SAID ARTICLE SHOULD SIMPLY STATE UNDERTAKING TO PROHIBIT AND PREVENT ANY VIOLATION OF CONVENTION. INDIA PROPOSED UNDERTAKING STATING THAT STATES "MAY TAKE" ANY NECESSARY MEASURES TO PROHIBIT VIOLATIONS.
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